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Summary record of the 33rd meeting
Held at Headquarters, New York, on Monday, 1 November 2004, at 2.30 p.m.

Chairman: Mr. Kuchinsky ..... (Ukraine)
later: Ms. Kusorgbor (Vice-Chairperson) ..... (Ghana)

Contents

Agenda item 101: Promotion and protection of the rights of children (*continued*)

Agenda item 102: Programme of activities for the International Decade of the World's Indigenous People, 1995-2004 (*continued*)

Agenda item 105: Human rights questions* (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms* (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives* (*continued*)

(e) Report of the United Nations High Commissioner for Human Rights* (*continued*)

* Items which the Committee has decided to consider together.

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04-58089 (E)

The meeting was called to order at 2.40 p.m.

Agenda item 101: Promotion and protection of the rights of children (*continued*) (A/C.3/59/L.29)

1. **Mr. Ainchil** (Argentina) introduced draft resolution A/C.3/59/L.29 entitled "Rights of the child" and announced that Croatia, Moldova, Monaco, Norway and Romania had joined the sponsors. The draft resolution represented an effort to consolidate all aspects of the question of the rights of the child into one text, which he hoped could be adopted by consensus.

Agenda item 102: Programme of activities for the International Decade of the World's Indigenous People, 1995-2004 (*continued*) (A/C.3/59/L.30)

2. **Mr. Cumberbatch Miguén** (Cuba) introduced draft resolution A/C.3/59/L.30 entitled "Second International Decade of the World's Indigenous People" and announced that Antigua and Barbuda, Azerbaijan, Brazil, China, the Islamic Republic of Iran, Paraguay and the Russian Federation had joined the sponsors. He drew attention to paragraphs 3 and 4, requesting the appointment of the Under-Secretary-General for Economic and Social Affairs as the Coordinator for the Second Decade and describing his mandate.

Agenda item 105: Human rights questions (*continued*) (A/59/225, 371 and 425; A/C.3/59/4)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/59/255, 319, 320, 323, 327, 328, 341, 360, 366, 377, 385, 401-404, 422, 428, 432, 436 and 525)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/59/256, 269, 311, 316, 340, 352, 367, 370, 378, 389 and 413; A/C.3/59/3 and /4)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/59/36)

3. **Ms. Tincopa** (Peru) said that Peru's relationship with human rights had been forged through bitter experience during the last two decades of the twentieth century. The violence during that period had exacerbated the poverty, marginalization and social inequalities of Peruvian society and hindered social and economic progress.

4. In the past year, the country had begun to digest those experiences through the publication of the final report of the Truth and Reconciliation Commission. Three basic conclusions could be drawn from the report: 69,000 people had died or disappeared at the hands of either terrorist organizations or agents of the State, a figure double previous estimates; three out of every four victims were from rural areas and had a mother tongue other than Spanish; and the State response to the violence of Shining Path or the Túpac Amaru Revolutionary Movement had at times resulted in systematic violations of human rights and international law.

5. In response, the State and civil society had taken a number of steps to consolidate democracy, strengthen institutions and pursue sustained growth and stability. There had been progress in ending corruption and impunity and enhancing the independence of the judiciary. In the new climate of respect for human rights, the Special Rapporteur on the right to health and the Special Rapporteur on the human rights of migrants had recently visited Peru, and their reports and constructive recommendations were eagerly awaited.

6. Extreme poverty in Peru had deepened during the decades of conflict, and the Government was committed to the eradication of poverty as a means of overcoming social inequality. Her delegation attached great importance to efforts within the United Nations system to combat poverty, and therefore it would once again submit a draft resolution on human rights and extreme poverty. It also attached great importance to the situation of migrant workers, and had signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. It also supported the elaboration of an international convention on the rights of disabled persons.

7. Peru was committed to the strengthening of the international system for the promotion and protection of human rights and respected the dignity of all its citizens.

8. **Mr. Aidogdyev** (Turkmenistan) said that Turkmenistan, which had recently observed the

thirteenth anniversary of its independence, had no doubt that one of the main objectives of a State was to ensure the rights and freedoms of its people. To that end, it had abolished the temporary exit-visa requirement so that its citizens once again enjoyed freedom of movement. The President had also signed a decree ensuring religious freedom; some 155 religious groups were registered, conscientious objectors had been released from prison and alternative-service options were being devised for them. A bill was also under consideration to decriminalize the activity of unregistered NGOs. Turkmenistan had received visits from senior officials from the United Nations, the European Union and the Organization for Security and Cooperation in Europe. It had also submitted its national reports to the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child.

9. Given those developments in the area of human rights, the submission of yet another draft resolution on the situation of human rights in Turkmenistan would not be constructive. The countries sponsoring the draft resolution had not built their own democracies in a mere 13 years, yet the recommendations it contained could be applied to any one of the sponsors as well. Therefore, his delegation would ask other countries to join in opposing the draft resolution.

10. **Ms. Pham Thi Kim Anh** (Viet Nam) said that her delegation was of the view that human rights could truly be promoted only when each nation in the world community treated them in the same manner, at home and abroad, with due regard to the principles of objectivity, impartiality and non-selectivity, along with respect for cultural diversity and the right of each nation to choose its own political, economic and social system. The Government of Viet Nam placed the promotion and protection of human rights at the centre of its commitment to build an equitable, democratic and cultured society.

11. Viet Nam was a multi-ethnic and multi-religious society, with nearly 60 ethnic communities and with more than one quarter of its population practising one of 10 religions. The socio-economic infrastructure of the remote Central Highlands was being developed for the benefit of its ethnic minorities. The Government guaranteed freedom of religion, but rejected any attempt to abuse that freedom to advocate separatism, cause public disorder or commit terrorist acts. Dialogue and exchange of views on the basis of equality and mutual respect should take the place of confrontation and tension.

12. **Mr. Denisov** (Russian Federation) said that human-rights questions were becoming increasingly politicized, and that double standards were being applied to international relations, which could clearly be seen in the statements made in international forums by some countries concerning the situation in the Chechen Republic of the Russian Federation. Criticism of the Government's efforts to enable the citizens of the Republic to live peacefully and to establish lawful institutions was actually giving encouragement to international terrorists. Human rights seen exclusively from the viewpoint of individualism and liberal values failed to take into account the historical, religious and cultural diversity of various countries and their political and economic systems. The Russian Federation looked forward to the visit of the new High Commissioner for Human Rights in February 2005, which would help the international community to form a non-partisan view of the situation.

13. His Government had repeatedly stated its readiness to strengthen international cooperation in fighting terrorism and hoped that all States would assume their responsibilities in that area. His delegation would therefore submit a draft resolution on human rights and terrorism for consideration at the current session of the General Assembly.

14. The work of the sixtieth session of the Commission on Human Rights had taken place in a highly damaging atmosphere of increased confrontation and had been used as an arena for settling bilateral disputes. In addition to institutional and technical reform of the Commission, the international community must adjust its approach to the human-rights agenda. The growing number of special procedures and mandates led to duplication of work and stretched available resources. A moratorium on the establishment of new mechanisms and a comprehensive analysis of special procedures and treaty bodies would enhance coordination. The procedure for appointing special rapporteurs should also be made more transparent. Although the involvement of NGOs in the consideration of reports to treaty bodies was welcome, due consideration should also be given to the dialogue with official delegations of the reporting State in the preparation of concluding observations.

15. It should be borne in mind that many based their judgement of the effectiveness of the United Nations human-rights system as a whole on the ability of the Office of the High Commissioner for Human Rights to establish a dialogue with States and civil society.

16. **Ms. Laolaphan** (Thailand) said that her country shared the international community's conviction that sustainable peace and development could not be attained without the realization of the human rights and fundamental freedoms of all peoples. Thailand had strongly advocated that national and international efforts to promote civil and political rights must not lose sight of the equal importance of other universally recognized rights. The promotion of human rights and socio-economic development must be linked, and her delegation hoped that the High Commissioner for Human Rights would give priority to that linkage in her work.

17. While States had the primary responsibility to promote and protect human rights at home, the international community also had a moral obligation to promote and protect human rights worldwide. That should be achieved through dialogue, encouragement and cooperation aimed at strengthening national capacities. Thailand therefore welcomed the thrust of the recently launched action 2 programme, as it gave priority to strengthening national protection systems. An approach based on understanding of each country's characteristics and challenges was best placed to ensure that the culture of human rights took root in each country.

18. Within that context, her delegation was concerned at the increasing tendency in the Commission on Human Rights and the Third Committee to "name and shame" individual States. That approach might adversely affect international cooperation, especially if used selectively and without good cause. It might well be opportune to reflect on the merits of such an approach.

19. In cooperation with the Office of the High Commissioner for Human Rights, Thailand had recently hosted a meeting of experts on national human-rights plans of action and human-rights education in the Asia-Pacific region, characterized by an exchange of best practices and lessons learned. Thailand's own revised plan of action would be submitted for Cabinet approval in late 2004. The plan would provide a systematic and action-oriented framework for the promotion of human rights in Thailand.

20. Thailand was also committed to supporting human-rights defenders working in its territory. It had been the first country to accede to the request of the Special Representative of the Secretary-General on human-rights defenders to make a country visit. Although Thailand disagreed with the conclusions she had drawn from her visit, it had acted promptly upon a number of her recommendations, including consideration of a mechanism to protect human-rights defenders.

21. Thailand was determined to bring its national protection systems into line with minimum international standards. Measures included a complaints procedure with respect to the provision of justice; the protection of witnesses, especially in criminal cases concerning human-rights defenders; and remedial measures to uphold the principles of human dignity, human rights and justice. Thailand was aware that more needed to be done, as human-rights violations continued, including some on the part of government officials. There would be no place for impunity, in those or other cases, and her Government was committed to upholding the rule of law with a view to the realization of all rights for all individuals in Thailand.

22. **Mr. Manis** (Sudan), referring to the oral report presented at the 30th meeting by the Independent Expert on the situation of human rights in the Sudan, said that the expert had not followed his mandate, which was to focus mainly on the Darfur region. The expert had analysed political issues, but had failed to provide clear statistics. Instead of addressing political issues, the Committee should be dealing with the consequences of the crisis. This delegation wished to draw attention to a number of points.

23. First, the Sudan was clearly committed to protecting human rights. Second, the Sudan had invited the Independent Expert to visit the country and had facilitated his work. It had always acted transparently in the past and had always cooperated with the various international organizations. Third, the report of the expert was misleading: he had spent just two days in the Darfur region — the size of France — and was therefore unlikely to be sufficiently acquainted with events there. Fourth, the Government had set up an advisory body on human rights, charged with dealing

with complaints and implementing national human-rights instruments. Fifth, the Government had set up an independent committee to investigate the Darfur situation, as well as tribunals charged with bringing human-rights violators to justice and special courts to deal with crimes against women. Lastly, the ongoing international strategy of attacking his country was hypocritical, led as it was by States that did not themselves respect human rights, and it selectively focused on some situations while ignoring others, as in Palestine, Iraq and Afghanistan, perhaps because the political price for doing so might be too high.

24. His delegation had been greatly surprised at the remarks made by the representative of Australia, who might care to give an account of the treatment of aboriginal peoples in his country, which represented a massive violation of human rights. One might also recall the situation of the hundreds of asylum-seekers — unaccompanied minors — who had been imprisoned in remote desert areas of Australia, without the most basic services. Australia should respect its own international commitments rather than shed "crocodile tears" regarding human-rights situations elsewhere.

25. He also wished to make a number of points concerning the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her visit to the Sudan (E/CN.4/2005/7/Add.2). First, although the Special Rapporteur's mandate had been clearly set out (see document A/59/319, para. 4), she had exceeded it. Her report on the Sudan stated that the conflict between the Government and the South had a religious element, contradicting an earlier report, which had stated that the problem was a political one. Second, the report was inaccurate and had not been prepared in accordance with United Nations procedures; it lacked statistics and hard evidence, did not give the names of any individuals subjected to summary execution, and therefore lacked credibility. Third, it was imprecise and based on rumours. Fourth, it lacked impartiality. It represented a clear attack against the Sudanese Government, indicating that the Government itself was responsible for the problem. In doing so, it contradicted the earlier report, which had stated that the Sudan had cooperated in full and facilitated the Special Rapporteur's task. Fifth, the report stated that the Sudanese Government had been unable to save any victims, whereas the Special Representative of the Secretary-General for the Sudan had said that the Government had managed to protect and save some individuals. That fact had also been confirmed by independent international bodies.

26. Readers of the report would note an exaggerated emphasis on tribal and racial conflicts, as well as a lack of supporting evidence. It stated that the majority of the Sudanese armed forces were from Darfur, while the militia were Arabs. It was well-known that the situation in the Sudan was far more complex, involving a mixture of cultures, ethnicities, religions and languages. The Government had acknowledged the problem in Darfur and was committed to finding a lasting solution through a political arrangement. It had held talks with the African Union and other international partners. Many Member States had welcomed its approach during the fifty-ninth session.

27. The Sudan welcomed the efforts of the League of Arab States, the African Union, the Organization of the Islamic Conference, the United Nations and all other partners that wished to see the Sudan return to stability through a political solution. His delegation deeply regretted that the Special Rapporteur had not acquitted herself of her task adequately, but felt certain that the next Special Rapporteur would do so.

28. **Mr. Alaei** (Islamic Republic of Iran) said that the realization of the right to development called for all members of the international community to be responsible and accountable for the creation of a fair and conducive international economic environment. The current environment not only undermined the economic and social welfare of developing countries, but also exacerbated poverty and feelings of despair, which in turn helped to breed violence and political instability. Market-based globalization tended to favour countries with higher asset levels, thus further marginalizing developing countries; the opportunities it created were restricted to developed countries and had not sparked economic growth in poor countries.

29. Even though developing countries had taken significant steps to liberalize and integrate further into the world economy, the hoped-for benefits had not been achieved, and the economic gap between rich and poor countries had failed to narrow. The benefits of the global economy were also very unevenly shared and its costs unfairly distributed. International cooperation in the field of development must provide an environment that was not only transparent and non-discriminatory but also promoted universal access and equity

regarding the distribution of the benefits of development to countries, regions and their people. The right of access to international, financial, monetary and trade organizations should be facilitated for every country, free of any political consideration. The international economic environment could not be responsive to the needs of the majority of the world if developing countries were to be sidelined in macroeconomic policy coordination.

30. It was necessary to encourage good governance for globalization through democratization, transparency and accountability in international economic and financial decision-making, in all forums, at all levels, and with the full participation of developing countries, in order to ensure that their development interests were taken fully into account. An integrated and coordinated approach to the follow-up of major United Nations conferences could contribute to that process.

31. Realizing the right to development as an inalienable part of international human-rights rules and norms hinged to a large extent on the broader and long-term involvement of international cooperation, as indicated in the Declaration on the Right to Development. The international community's obligation to facilitate the implementation of the right to development and the Millennium Development Goals was paramount. The progress was uneven and too slow, and a large majority of nations would not achieve them unless they received substantial support, advocacy, expertise and resources from outside.

32. **Mr. Emmanuel** (Haiti) said that the United Nations system had greatly contributed to improving human rights throughout the world. However, in the context of globalization and technological change, a situation was developing that prevented the full exercise of human rights in many countries, particularly in the least developed countries, where many survived on less than one dollar a day. Such human-rights violations threatened social equilibrium. However, they could be resolved by implementing development policies based on human rights, and the efforts of the Office of the High Commissioner for Human Rights to define a framework for implementing the right to development should be commended.

33. The United Nations had recently provided significant cooperation to Haiti in the area of judicial reform and the professionalization of the police force, including a brigade for the protection of children. The fight against impunity was of great concern to the interim Government, which was considering setting up a truth and reconciliation commission to investigate the flagrant human-rights violations in recent years. It also gave special importance to the obligations arising from the international instruments to which Haiti was a party, and was collaborating with all the human-rights bodies of the United Nations system. In that context, measures were under way to open an office of the High Commissioner for Human Rights in Haiti.

34. The interim Government had drawn up a national economic-recovery programme, considering that economic and social rights required as much attention as civil and political rights. Despite the recent flooding and political violence that had seriously affected the rights of the Haitian population, the Government's political will to establish a national environment that promoted respect for all human rights was unwavering.

35. **Mr. Kaludjerović** (Serbia and Montenegro) said that many new challenges affecting the full enjoyment of human rights could not be dealt with unless a human-rights approach was adopted, accompanied by a clear political will and sustained efforts by Governments, which had primary responsibility to protect human rights.

36. Over the past few years, Serbia and Montenegro had demonstrated its determination to improve the internal human rights situation. Its accession to the Council of Europe in March 2003 was proof of the progress achieved and also provided a strong impetus for further improvement, and for establishing democracy and the rule of law. Serbia and Montenegro had acceded to or ratified the principal European human-rights instruments and put in place legislative measures to strengthen the independence of the judiciary and to reform police and security forces. Ombudsmen's offices had been set up and laws on freedom of the press and information had been adopted.

37. Serbia and Montenegro attached special importance to minority rights. The Council for National Minorities had been established in Serbia and the minimum threshold for national-minority parties had been abolished. In Montenegro, the law on minorities would be adopted imminently. The national strategy for the integration of Roma had been launched earlier in the year in Serbia, and a plan of action had

been prepared by the Government of Montenegro. Both initiatives had four priorities: education, employment, housing, and the problems of displaced Roma.

38. Much had been done to deal with the legacy of the past. After the adoption of legislation governing the prosecution of war crimes, judicial structures had been put in place. Capacity-building measures would be undertaken so that war-crime trials could be conducted in accordance with international standards and also help people come to terms with the past.

39. Serbia and Montenegro was seriously concerned about the situation of human rights in the province of Kosovo and Metohija. In March 2004, the precarious situation had turned into an explosion of violence against almost anyone who was not Albanian; thus, a considerable effort was still required to achieve even a minimum protection of rights in the province. The United Nations Interim Administration Mission in Kosovo (UNMIK) and the provisional institutions of self-government had clear responsibilities in that regard. The Government had therefore proposed that UNMIK should submit the report on the implementation of the International Covenant on Civil and Political Rights to the Human Rights Committee; until the Covenant was implemented in Kosovo and Metohija, Serbia and Montenegro was not in a position to discharge its responsibilities as a State party. The proposal had been accepted.

40. **Mr. McInerney** (International Development Law Organization (IDLO)) said that IDLO was an international organization founded in 1983 and headquartered in Rome. It had 17 member States and had been a pioneer in promoting the rule of law and improved democratic governance as important elements of the development process. It offered technical assistance to legislative, regulatory and judicial bodies in developing and transition-economy countries and, to date, had been active in 164 countries. It had been granted observer status in the General Assembly in 2001 and collaborated with United Nations agencies and related financial institutions.

41. The growing interdependence of States and peoples had made cooperation in the juridical field increasingly important. Greater visibility of human-rights violations across the globe had highlighted the need for effective responses. Unfortunately, the growth and maturity of the legal framework defining international rights had not been matched by equivalent success in the enforcement of such laws. The lack of State capacity in the juridical field compromised people's well-being, since evidence suggested a close relationship between effective legal and regulatory institutions and economic development.

42. The report of the Secretary-General on the work of the Organization (A/59/1) had emphasized the importance of justice and the rule of law as critical elements in the process of rebuilding societies after armed conflict and emphasized the need to take a comprehensive approach that involved local actors from the start (para. 222). IDLO had made such an approach central to its mission and focused on developing the capacities of legal professionals, so that they would play a central role in law reform, administration of justice and circulation of legal knowledge. To promote the rule of law, IDLO had worked alongside the United Nations in rebuilding the judiciaries in such places as Afghanistan and Kosovo.

43. *Ms. Kusorgbor (Ghana), Vice-Chairman, took the Chair.*

44. **Ms. Christofides** (International Organization for Migration (IOM)) said there was a growing recognition that migration was a potentially beneficial component of the economic and social life of every State and region. Governments therefore needed to manage migration through international cooperation and policies that addressed all facets of the phenomenon, including human rights. IOM urged all States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the two Optional Protocols to the United Nations Convention against Transnational Organized Crime relating to trafficking in persons.

45. The central aspect of managed migration that IOM promoted was respect for the human dignity and well-being of migrants. In its response to forced migration, IOM had played an important role in providing assistance in emergency and post-conflict situations: for instance, by providing transportation to safety for refugees and internally displaced persons. It also administered voting in elections and referendums for people outside their own country. With regard to facilitated migration, IOM provided services to ensure the integration of migrants into their new communities.

46. Migration control was not incompatible with respect for the rights and dignity of migrants. Each State had the right to determine who entered or

remained on its territory. Orderly migration benefited migrants and society and IOM worked with Governments to ensure that migration legislation and border controls were compatible with international legal norms. Moreover, countries of origin had a role to play in ensuring that their nationals, particularly women, were informed and prepared prior to departure, because smuggling and trafficking involved some of the most significant threats to the human rights of migrants.

47. Activities linking migration and development had long been among IOM programmes in certain parts of the world, but the true potential for migration as an engine for economic and social development was only now becoming recognized globally. It included the potential of migrants to promote human rights in their own countries by making their newly acquired skills and resources available through returns, advice, training and investment. Remittances could also be an important tool for empowering people, especially women, to realize their human rights, and IOM worked to help ensure that legal channels existed for prompt and cost-effective transfers.

48. In order to promote understanding of the international legal framework for migration, IOM was establishing a department on international migration law that would promote training and capacity-building.

49. **Mr. Motter** (Inter-Parliamentary Union (IPU)) said that IPU had been founded in 1889 on values relating to the dignity of the individual and the need to solve conflict through dialogue. Indeed, through their legislative, oversight and representative functions, parliaments largely determined the extent to which people could enjoy their human rights.

50. Parliamentary authority derived mainly from its capacity to reflect faithfully the diversity of all components of society and that, in turn, depended on the way in which elections were organized. Hence, IPU had devoted much time to working on electio- criteria, culminating in the 1994 Declaration on Criteria for Free and Fair Elections. In 1997, IPU had adopted the Universal Declaration on Democracy, which had since guided much of its work and clearly established that democracy was inseparable from the human rights enshrined in international human-rights instruments.

51. As a political organization in which almost all political thinking could find expression, IPU regularly debated human-rights questions, helping to advance international consensus on human rights and fundamental freedoms. In so doing, it not only contributed to the development and strengthening of international norms but also encouraged the normative actions of national parliaments. It was increasingly taking action to familiarize parliaments with the various United Nations human-rights mechanisms and treaty bodies, to increase their involvement in national reporting and ensure follow-up to recommendations.

52. IPU had consistently recommended to its member parliaments to create parliamentary human-rights committees, and in March 2004 had organized the first international seminar for n. ıbers of such bodies, in collaboration with the United Nations Development Programme and the Office of the High Commissioner for Human Rights. It also offered technical cooperation to parliaments with a human-rights and gender perspective.

53. In far too many countries, Governments still feared the freedom of expression necessary for members of parliament to carry out their work, and parliamentarians were all too often victims of human-rights violations. Moreover, parliament was usually the first institution to disappear as a result of a coup d'état. In 1976, IPU had created the Committee on the Human Rights of Parliamentarians, entrusted with examining complaints about violations of such rights. It worked on the basis of national, regional and international human-rights law and, whenever possible, referred to United Nations resolutions and the recommendations of treaty bodies and special rapporteurs in its decisions.

54. **Mr. Helle** (International Committee of the Red Cross) said the International Red Cross and Red Crescent Movement continued to make efforts to address the grave problem of missing persons and their families. The 28th International Conference of the Red Cross and Red Crescent, held in December 2003, had confirmed its commitment to the prevention and resolution of cases of disappearance and to addressing the needs of the families left behind, and had adopted an Agenda for Humanitarian Action.

55. ICRC itself was reinforcing its traditional activities, such as re-establishing and maintaining family links, collecting and centralizing information on vulnerable persons and on the dead, and tracing individuals. It had also drawn up a plan for action in a range of areas such as international and domestic law, including legal guidelines for non-international armed

conflict and the development of a new international instrument on forced disappearances; cooperation with armed forces and regional military organizations to ensure, inter alia, the wearing by military personnel of means of identification and the proper handling of information on the dead and of human remains on the battlefield; guidelines on families' needs and family news networks; and standards to assist humanitarian and other non-military personnel in the proper handling of the dead.

56. He called on all Member States to coordinate with their national Red Cross or Red Crescent societies to support and follow up on the Agenda for Humanitarian Action.

57. **Mr. Gospodinov** (International Federation of Red Cross and Red Crescent Societies (IFRC)) said there was a close link between his organization's mission, which was the protection of human dignity, and the Millennium Development Goals. That was particularly true of universal primary education, which formed the basis for human rights in general and for the achievement of all the remaining Millennium Development Goals. It was for that reason that IFRC ran vocational-training institutes providing basic literacy and computing skills.

58. There was also a close fit between the goal of eradication of poverty and IFRC's disaster-preparedness programmes at the international, regional and national levels, and IFRC experts had made their skills available in response to the recent natural disasters in the Caribbean and southern United States.

59. The 2004 edition of IFRC's annual *World Disasters Report* had been launched in October. The theme was community resilience, which meant, inter alia, the local knowledge, skills and access to resources that enabled people to recover from disaster. The report was IFRC's flagship publication and contained material central to the achievement of the Millennium Development Goals, and he urged delegations to consider the issues of community resilience and empowerment in that light.

Statements made in exercise of the right of reply

60. **Ms. Che** Ying (China) said the representatives of Australia and Canada had hypocritically singled out various developing countries for criticism without showing the courage to criticize themselves or their own Western partners.

61. Australia had mentioned its human-rights dialogue with China, but it was important to add that, in the course of that dialogue, China had also frankly stated its concern at human-rights violations in Australia. China looked forward to further discussions on that subject in future dialogues with Australia.

62. **Ms. Sonaike** (Nigeria), replying to the representative of Canada, said the states that made up the Federation of Nigeria enjoyed a certain measure of autonomy, including the right to pass legislation. The promulgation of Sharia law by 12 of those states was a constitutional issue and could be handled only through an appropriate constitutional amendment.

63. Sharia law did not necessarily contradict the provisions of the Nigerian Constitution, however, since it made appropriate provision for appeals to higher courts, including the federal Supreme Court, and such courts had in fact overturned all sentences of death by stoning passed since the introduction of Sharia law in 2000. Moreover, the National Assembly was currently considering a study that had recently been conducted on the death penalty.

64. Nigeria upheld the universality and indivisibility of human rights. Selective application of human-rights standards should be discouraged and constructive dialogue to improve the situation encouraged.

65. **Mr. Gba** (Côte d'Ivoire), replying to comments made about his country at the previous meeting, said his delegation found it hard to understand why certain other delegations continued to adopt a confrontational rather than a cooperative approach, singling out countries for praise or criticism, without taking full account of the prevailing situations. Human rights had always been a central concern of Côte d'Ivoire. It had ratified nearly all the major human-rights instruments and had always cooperated with the various human-rights mechanisms in an effort to combat impunity. The independence of the judiciary was guaranteed under the Constitution.

66. The institutions of the State continued to function, despite the recent armed attack that had divided the country and which elsewhere might have brought such institutions to a standstill. The perpetrators of human-rights violations were being pursued and punished. It was important not to confuse violations committed by individuals with violations or impunity used by the State as an instrument of government. The international commission of inquiry

into the situation in Côte d'Ivoire would make it possible to establish the reasons for the armed uprising and what human-rights violations had been committed, and to punish the perpetrators. He called for international support and cooperation to help Côte d'Ivoire to return to normality.

67. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea) said it was curious that the delegations of New Zealand and Australia should have said no country was perfect in human rights and yet had omitted to mention the human-rights situations in their own countries. Human-rights violations in New Zealand included increasing violence against women and children, a persistent gender gap in pay and a high rate of incarceration among minorities.

68. His delegation had no intention of responding to New Zealand's allegations against his country, which amounted to nothing more than yet another attempt to tarnish its image in the eyes of the international community.

69. With regard to statements made by Canada and Australia, he said his Government had a consistent policy of respect for international human-rights instruments and it valued dialogue and cooperation that were based on friendship and mutual benefit. Whether or when to accede to a given human-rights instrument, however, was a decision for his country alone.

The meeting rose at 5.30 p.m.